



Petition Number: 2108-DDP-34
Project Name: Midland South
Subject Site Address: Northwest corner of Roosevelt Street and Cherry Street (the "Property")
Petitioner: Old Town Companies
Representative: Apollo Developers
Request: Detailed Development Plan review of 52,864 square feet of townhomes on 3.37 acres +/- in the Midland South PUD
Current Zoning: Midland South PUD
Current Land Use: Residential
Approximate Acreage: 3.37 acres +/-
Property History: Midland South PUD ([Ord. 21-07](#), 04/19/2021)
Overall Development Plan & Primary Plat (2108-ODP-20 & 2108-SPP-20)
Midland South PUD Amendment 1 (Ord. 21-39, 10/11/2021)
Exhibits:
1. Staff Report
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevations
6. Internal Sidewalk Waiver
Staff Reviewer: Rachel Riemenschneider, Associate Planner

PROCEDURAL

Approval of a Development Plan must be granted if the submitted plan demonstrates compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

REVIEW COMMENTS

- 1) Please provide copies or copy this Department on any correspondence you receive from Technical Advisory Committee members and your correspondence to them.
- 2) Additional comments may be forthcoming following review by the Technical Advisory Committee and after the revised primary plat and overall development plan have been submitted and reviewed.
- 3) The comments contained herein identify those items that are determined by this Department to be outstanding that need addressed prior to approval of the Primary Plat and Overall Development Plan. **Please note some of the standards noted herein are reviewed by the Public Works Department.** The Public Works Department may identify outstanding items accordingly that need addressed prior to approval.
- 4) *The Unified Development Ordinance, as amended (Ord. 17-10), no longer requires a public hearing for Development Plan review approval. Once plans have been determined to be in compliance with the applicable ordinances, the petition will be placed on the next scheduled Plan Commission meeting agenda.*
- 5) Abbreviations:
 - a) WPWD: Westfield Public Works Department
 - b) HCSO: Hamilton County Surveyor's Office

DEVELOPMENT PLAN (Article 10.7(G) of the UDO):

The plans comply.

- 1) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
- 2) Address and legal description of the property.
- 3) Boundary lines of the property including all dimensions.
- 4) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
- 5) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.

- 6) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
- 7) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 8) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 9) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
- 10) Location and dimensions of all existing structures and paved areas.
- 11) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 12) Location of all Floodplain areas within the boundaries of the property.
- 13) Names of legal ditches and streams on or adjacent to the site.
- 14) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.
- 15) Identify buildings proposed for demolition.
- 16) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 17) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).
- 18) Misc.

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

The plans comply.

- 19) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
 - 20) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
 - 21) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:
 - a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.
 - b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
 - c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
 - 22) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.
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DISTRICT STANDARDS

The plans comply with Article 4.9 of the UDO (SFA: Single-family Attached District), Midland South PUD District (Ord. 21-07), and Midland South PUD Amendment I (Ord. 21-39).

- 23) Permitted Uses: The following Uses shall be permitted: Duplex Dwelling, Triplex Dwelling, Quadraplex Dwelling, and Development Amenities.
 - a) All Special Exception Uses and Prohibited Uses shall be prohibited (Ord. 21-07)
 - b) The following additional uses shall be permitted in the District (Ord. 21-07)
 - i) Townhouse Dwellings
 - c) Maximum Dwellings:

The total number of Dwellings permitted in the District shall not exceed fifty-six (56) (Ord. 21-07)

24) Minimum Lot Area:	No minimum
25) Minimum Lot Frontage:	No minimum, however all lots shall have vehicular access to a street (via, a public street, private street, alley, or a shared ingress/egress easement) (Ord. 21-07)
26) Minimum Lot Width:	No minimum (Ord. 21-07)
27) Maximum Lot Coverage:	No maximum (Ord. 21-07)
28) Minimum Tract Requirement:	No minimum (Ord. 21-07)
29) Maximum Density:	Sixteen (16) Dwelling Units per acre (Ord. 21-07)
30) Minimum Building Setback Lines:	
a) Front Yard:	5 feet (Ord. 21-07)
b) Side Yard:	5 feet / 10 feet (Ord. 21-07)
c) Side Yard, west property line, buffering Westfield Friends Church:	10 feet with Tree Buffer (Exhibit B) (Ord. 21-07)
d) Rear Yard:	5 feet (Ord. 21-07)
e) Fronting Midland Trace Trail, northern property boundary:	25 feet from edge of trail, 15 feet of which is a landscape buffer (Buffer Yard A requirements) (Ord. 21-07)
31) Maximum Building Height:	39.5 feet (Ord. 21-39)
32) Minimum Living Area:	1,600 square feet (Ord. 21-07)

DEVELOPMENT STANDARDS (Chapter 6 of UDO, Midland South PUD, Ord. 21-07)

The plans comply.

36) Accessory Use and Building Standards (Article 6.1)

37) Architectural Standards (Article 6.3)

A. Article 6.3 (C) Architectural Standards: Shall apply; except as modified below:

- i. Character Exhibit: The “Character Exhibit”, attached hereto as Exhibit C, is hereby incorporated to capture the intended architecture of townhouses to be constructed. It is not the intent to limit the architecture shown in the Character Exhibit, but to establish a benchmark for quality, vision, and appearance of architecture within the development. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department’s decision may be appealed to the Plan Commission. (Ord. 21-07)
- ii. Streetscape Diversity (Article 6.3(C)(2)): Shall not apply. (Ord. 21-07)
- iii. Building Material (Article 6.3(C)(3)): Shall apply, however, vinyl and aluminum siding shall not be a permitted exterior building material, except gutters, soffits, soffit trim, and other similar building components. (Ord. 21-07)
- iv. Garage in the SFA District (Article 6.3(C)(4)): All Dwelling Units shall have a minimum two (2) car attached garage. (Ord. 21-07)

38) Building Standards (Article 6.4)

- A. Multi-family Residential Uses: More than one (1) Principal Building used for residential purposes, and its Accessory Buildings, shall be permitted on a Lot in a Multi-family District.

39) Fence Standards (Article 6.5)

40) Height Standards (Article 6.6)

41) Landscaping Standards (Article 6.8)

A. Content of Landscape Plan (Article 6.8(C)):

- i. Locations, quantities, sizes, and names (botanical names and common names) - of planting materials.
- ii. Location of dense trees and shrubs, and other Natural Areas which are to be preserved or removed.

- B. General Landscaping Design Standards, Placement (Article 6.8(C)(4)(d)): Minimum distance from Sidewalk and Curb: Trees shall be planted a minimum distance of four (4) feet from the edge of a Street curb or pedestrian pathway or sidewalk.
- C. Street Trees (Article 6.8(J)): Shall apply, unless otherwise approved by the Director or Department of Public Works. (Ord. 21-07)

Comment: The Director approved modifications to the Street Tree standards to accommodate space restrictions and utility placement on the site.

- i. Street Trees: Street Trees shall be required in accordance with the following, and the placement standards set forth herein:
 - a. Requirement: Street Trees shall be required within the Right-of-way of all new or re-developed Local Streets (public or private) in residential Major Subdivisions. Street Trees shall only be required on one (1) side of a Residential Frontage Road. Please note that the Westfield Code of Ordinance; Chapter 34-141 et seq., as amended, also applies within the City's corporate limits.
 - b. Location: Street Trees shall be located within the Right-of-way in a minimum eight-foot (8') wide planting strip between curb and sidewalk (see also Article 7.3 Principles and Standards of Design). Where impracticable, the Director may permit either: (i) a lesser width for the planting strip; or (ii) the planting of Street Trees on the adjacent Lot or Common Area within ten (10) feet of the Right-of-way. In no case shall the Street Tree be credited towards that Lot or Common Area's Minimum Lot Landscaping Requirements.
 - c. Spacing: Street Trees shall be required an average of every fifty (50) feet; however, the Street Trees may be spaced at a maximum spacing of sixty (60) feet but at a minimum spacing of twenty-five (25) feet. Where impracticable, the Director may approve an increase in the maximum spacing. In addition to the placement standards of this Article, Street Trees shall also be planted a minimum of ten (10) feet away from Driveways, Alleys, fire hydrants, mailboxes and other similar improvements.
 - d. Maintenance: The maintenance of Street Trees shall be the responsibility of the development's property management group, homeowners' association or other similar legal entity, and the association's or entity's declaration of covenants and restrictions shall include provisions for the maintenance and replacement of Street Trees. In the absence of a homeowners' association, then the maintenance of Street Trees shall be the responsibility of the owner of the adjacent Lot.

- e. Street Tree Species: Permitted Street Tree species shall be as set forth in the City's Construction Standards (see Article 7.3 Principles and Standards of Design).

D. Tree Preservation:

- i. Tree Inventory: Existing trees that are to be preserved shall be credited toward required landscaping requirements based on the sizes of such preserved trees in accordance with this Article. Tree inventories shall be required for those trees that are required by an ordinance or commitments to be preserved or that are to otherwise be credited pursuant to this Chapter. Tree inventories shall depict locations, sizes, and common names of existing trees and individual shrubs; areas containing dense trees or shrubs; and other natural site features.
- ii. Tree Preservation Plans: Tree preservation plans shall be submitted with site plans that detail locations, sizes, and common names of preserved trees; individual shrubs; areas of dense tree or shrub concentrations, and other natural features which are to be preserved or removed. No disturbance shall be permitted in the Critical Root Zones of preserved trees. Disturbances include trenching, backfilling, driving or parking equipment, and dumping trash, oil, paint, or other materials detrimental to plant health.
- iii. Replacement: If any tree designated for preservation dies within five (5) years of project completion, then the Property Owner shall replace such tree with a tree(s) of equal tree preservation value, as set forth herein, within one hundred and eighty (180) days.
- iv. Tree Protection:
 - a. Barriers shall be used to protect trees during site development. Barriers shall be specified on Landscape Plans and shall be placed at or beyond the driplines of trees to be preserved. Such barriers shall remain in place during site construction. No vehicles, machinery, tools, chemicals, construction materials, or temporary soil deposits shall be permitted within such barriers. No notices or other objects shall be nailed or stapled to preserved trees.
 - b. Grading measures or protective devices, such as tree wells, tree walls, or specialized fill and pavement designs, shall be installed when necessary to preserve identified tree specimens.

- E. Minimum Lot Landscaping Requirements: Yards and Open Space areas of all Lots shall be landscaped in accordance with this section (the "Minimum Lot Landscaping Requirements"):

Chart: Minimum Lot Landscaping Requirements – Multifamily

- i. Credit: All other landscaping plantings required by this Article to be located on the subject Lot (e.g., Foundation Plantings, Parking Area Landscaping) or within an Open Space/Common Area (e.g., Buffer Yard Landscaping, External Street Frontage Landscaping) may be credited toward the individual Lot's or Open Space/Common Area's Lot Landscaping Requirement at a 1:1 ratio, with the exception of Street Trees, as otherwise set forth herein, which may not be credited.

F. Foundation Plantings (Article 6.8(L)(1)): Shall not apply. (Ord. 21-07)

- i. Monument Signs shall include a landscaped area at the base of the Monument Sign. The minimum size of the landscaped area shall be equivalent to one (1) side of the Monument Sign's Sign Face. The landscaped area shall be substantially covered with a variety of planting types such as Groundcover, perennials, shrubs, and ornamental trees.

G. External Street Frontage Landscaping Requirements (Article 6.8(M)): Shall not apply. (Ord. 21-07)

H. Buffer Yard Requirements (Article 6.8(N)): Shall not apply. (Ord. 21-07)

- i. Western Buffer – Westfield Friends Church: 10 feet with Tree Buffer (Exhibit B) (Ord. 21-07)
- ii. Northern Buffer – Midland Trace Trail: 25 feet from edge of trail, 15 feet of which is a landscape buffer (Buffer Yard A requirements) (Ord. 21-07)

Chart: Buffer Yard Requirements – Buffer A (500ft +/-)

42) Lighting Standards (Article 6.9)

A. General Lighting Standards: The following standards shall apply:

- i. All Light Fixtures, with the exception of internally-illuminated Signs or Electronic Signage, shall be Fully Shielded and direct light downward toward the earth's surface.
- ii. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent Lots and Rights-of-way.

- iii. All lighting sources, with the exception of internally-illuminated signage or Electronic Signage, shall be positioned in such a manner as to direct light away from adjacent Lots and Rights-of-way.
- i. Light pole height shall not exceed twenty-five (25) feet. All Light Fixtures in Parking Areas shall be designed and located to confine emitted light to the Parking Area.
- ii. All Light Fixtures shall meet City Building Code requirements for their appropriate construction class.

43) Lot Standards (Article 6.10)

44) Outside Storage and Display (Article 6.12)

45) Outdoor Café and Eating Areas (Article 6.13)

46) Parking and Loading Standards (Article 6.14)

47) Setback Standards (Article 6.16)

48) Sign Standards (Article 6.17)

49) Vision Clearance Standards (Article 6.19)

- A. Vision Clearance (Article 6.19(A)(1) and Article 6.19(A)(4): Ten (10) feet from intersections of Collectors, Private, or Local Streets. (Ord. 21-07)

50) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply.

51) Block Standards (Article 8.1)

52) Easement Standards (Article 8.3)

53) Monument and Marker Standards (Article 8.5)

54) Open Space and Amenity Standards (Article 8.6)

- A. Shall not apply. (Ord. 21-07)

55) Pedestrian Network Standards (Article 8.7)

A. Internal Pedestrian Network Standards:

- i. The minimum sidewalk width shall be as indicated in the Thoroughfare Plan or five (5) feet (six (6) feet if immediately abutting the curb), whichever is greater.
- ii. Sidewalks shall be required on both sides on internal Streets and internal Private Streets in all developments.

Comment: Westfield Public Works supported petitioner's request to waive requirement for sidewalks along both sides of internal streets. Waiver was approved at August 16, 2021, Advisory Plan Commission Meeting.

56) Storm Water Standards (Article 8.8)

57) Street and Right-of-Way Standards (Article 8.9)

- A. The District shall comply with the requirements of the Thoroughfare Plan unless otherwise agreed to by the Department of Public Works. (Ord. 21-07)

58) Street Light Standards (Article 8.10)

59) Street Sign Standards (Article 8.11)

60) Surety Standards (Article 8.12)

61) Utility Standards (Article 8.13)

DEPARTMENT COMMENTS

1. The Detailed Development Plan complies with all applicable zoning ordinances.
2. **Action: Approve the Detailed Development Plan (2108-DDP-34) with the following conditions:**



- a. All necessary approvals be obtained from the Westfield Public Works Department and Hamilton County Surveyor's Office prior to the issuance of an improvement Location Permit.**
3. If any Plan Commission member has questions, please contact Rachel Riemenschneider at 463-231-6649 or rriemenschneder@westfield.in.gov.